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JAE WON SONG, ESQ.
FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW,, CA 94041

EXAMINER

CHEUNG, MARY DA ZHI WANG

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/648,408

Applicant(s)

SHETH ET AL. M

Examiner

Mary Cheung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of the Claims

1. This action is in response to the amendment filed on August 6, 2004. Claims 1-16 and 18-30 are pending. Claim 17 is cancelled. Claims 1, 12, 15-16, 18-21 are amended. Claims 24-30 are added. Claims 1-16 and 18-30 are examined.

Response to Arguments

2. Applicant's arguments with respect to claim 12 have been considered but are partially moot in view of the new ground(s) of rejection, and partially not persuasive.

As to claim 12, applicant argues that Walker (U. S. Patent 5,862,223) fails to teach the newly added limitation that the services offerings on the optimized list are satisfied some of the buyer's requirements but not necessarily all of the buyer's requirements. Examiner has implemented the new prior art Bi (U. S. Patent 6,311,178) to meet this new limitation. Bi teaches the partially matching of the user's criteria (column 4 lines 9-50 and Figs. 2B-3), which would correspond to this limitation.

As to claim 12, applicant further argues that Walker (U. S. Patent 5,862,223) fails to teach the sellers are not prescreened before they can post. As discussed in 35 U.S.C. 112 1st paragraph rejection below, this limitation is not presented in the applicant's specification, but instead applicant claims the opposite concept that the first-time user (seller) has to register with the website for ensuring integrity of the marketplace before the seller can post (Fig. 5a). Due to the contradiction, the limitation is not considered. Furthermore, applicant argues that the claim is distinct from Walker's

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teaching because it is an open system. However, the "open system" feature is not stated in the claim by the applicant.

3. Applicant's arguments filed August 6, 2004 have been fully considered but they are not persuasive.

As to independent claims 1, 16 and 18-21, applicant argues that Walker (U. S. Patent 5,862,223) fails to teach allowing any seller to bid or post. Examiner respectfully disagrees because the end users and the experts in Walker's teaching correspond to the "any seller" as claimed (column 13 lines 13-20, 35-39 and column 14 lines 25-32 and column 16 line 62 – column 17 line 21 and column 21 lines 1-11 and Figs. 1, 6). Applicant further argues that Walker fails to teach the sellers are not prescreened before they can bid or post. As discussed in 35 U.S.C. 112 1st paragraph rejection below, these limitations are not presented in the applicant's specification, but instead applicant claims the opposite concepts that the seller has to be registered before the seller can bid or post (Figs. 5a, 5c). Due to the contradiction, the limitations are not considered. Furthermore, applicant argues that the claim is distinct from Walker's teaching because it is an open system. However, the "open system" feature is not stated in the claim by the applicant.

As to independent claims 1, 16 and 18-21, applicant argues that the cited prior art fail to teach the seller develops and delivers the project in a collaborative workspace. Examiner respectfully disagrees because Walker (U. S. Patent 5,862,223) teaches this matter by allowing the end user and the expert to send questions and answers to each

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other through a synchronous communication network (column 26 line 59 – column 27 line 3).

As to independent claims 1, 16 and 18-21, applicant further argues that there is no suggestion to combine Walker (U. S. Patent 5,862,223) with Salas (U. S. Patent 6,233,600) because they are unrelated inventions, in particular there are no computer files involved in Walker's teaching. Examiner respectfully disagrees because both Walker and Salas teach plurality of users sending messages to each other through Internet, and the expert answers in Walker's teaching correspond to computer files (column 26 line 59 – column 27 line 3).

The arguments for the depend claims 2-11, 13-15 and 22-30 are based on their respective independent claims, thus, the arguments are reversed on the same basis for the discussion as per the independent claims above.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-16 and 18-30 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

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As to the independent claims 1, 18 and 20, the applicant added the new limitation that "sellers are not prescreened before they can bid". However, applicant does not present such limitation or concept in the filed specification; instead, the applicant claims oppose concept that "To bid for this project, you [referring as seller] must be registered" (see Fig. 5c). For examining purpose, this newly added limitation that "sellers are not prescreened before they can bid" is not considered in this office action since it contradicts the applicant's specification.

As to the independent claims 12, 16, 19 and 21, the applicant added the new limitation that "sellers are not prescreened before they can post". However, applicant does not present such limitation or concept in the filed specification; instead, the applicant claims oppose concept that "Use this form to post your project. If you are a first-time user, you will be asked to provide a phone number or credit card in order to maintain the integrity of the eLance marketplace" (see Fig. 5a). For examining purpose, the newly added limitation that "sellers are not prescreened before they can post" is not considered in this office action since it contradicts the applicant's specification.

Claims 2-11, 13-15 and 22-30 are rejected for incorporating the errors of their respective base claims by dependency.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 30 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 30 recites the limitation "the collaborative workspace" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 1-5, 9, 16, 18-21 and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al., U. S. Patent 5,862,223 in view of Salas et al., U. S. Patent 6,233,600.

As to claim 1, Walker teaches a computer implemented method, comprising:

a) Accepting a posting on website of a project that a buyer wants to completed (column 13 lines 13-20, 35-39 and column 16 line 62 – column 17 line 21 and Figs. 1, 6);

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- b) Receiving a bid on the project from any seller (column 37 lines 48-61 and Figs. 1, 30);
- c) Allowing the buyer to accept the received bid from the seller (column 37 line 61 – column 38 line 3 and Fig. 30);
- d) Allowing the buyer and the seller to work on the project in a collaborative workspace accessible by the buyer and the seller, where the seller develops and delivers the project in the collaborative workspace (column 26 line 59 – column 27 line 3; *specifically, “the seller develops and delivers the project” corresponds to the expert types expert answer and send it to the end user in Walker’s teaching*).

Walker does not specifically teach allowing the buyer and the seller to work on the project in a collaborative workspace accessible by only the buyers and the seller. However, this matter is taught by Salas as allowing only the members who are assigned to the project work in a collaborative workspace (abstract and column 4 line 66 – column 5 line 11 and Fig. 8). It would have been obvious to one ordinary skill in the art at the time the invention was made to allow the teaching of Walker to include the feature of allowing the buyer and the seller to work on the project in a collaborative workspace accessible by only the buyer and the seller because this would allow both of the buyer and the seller to quickly and securely accomplish the project.

Walker does not specifically teach the buyer can track the project in the collaborative workspace before it is complete. However, this matter is taught by Salas as the project-related files, data, and discussion lists are displayed to the user that uses

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the collaborative workspace for the project (column 4 line 66 – column 5 line 11). It would have been obvious to one ordinary skill in the art at the time the invention was made to allow the buyer in Walker's teaching to include the feature of tracking the project in the collaborative workspace before it is complete as taught by Salas because this would allow the buyer to better monitor the progress of his or her project.

As to claim 2, Walker teaches the posting includes a project name (column 16 line 62 – column 17 line 21; specifically, "project name" corresponds to subject area in Walker's teaching).

As to claim 3, Walker teaches the posting includes a project description (column 16 line 62 – column 17 line 1).

As to claim 4, Walker teaches the posting includes a category (column 16 line 62 – column 17 line 21 and column 25 lines 26-34).

As to claim 5, Walker teaches the posting includes a price estimate (column 16 line 62 – column 17 line 21).

As to claims 9 and 25-29, Walker teaches the collaborative workspace includes one or more communication tools (column 26 line 59 – column 27 line 3). Walker does not specifically teach the collaborative workspace includes a file structure, one or more workbenches, and one or more project management tools. However, Salas teaches these matters (Salas: Figs. 1-4). It would have been obvious to one ordinary skill in the art at the time the invention was made to allow the teachings of Walker modified by Salas as discussed above to include these features because these would allow both of the buyer and the seller to quickly and securely accomplish the project.

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As to claim 16, Walker teaches a computer implemented method, comprising:

- a) Accepting on a website, the posting of a service offering for a project by any seller (column 13 lines 13-20, 35-39 and column 14 lines 25-32 and column 21 lines 1-11 and Fig. 1);
- b) Receiving requirements for the service offering from a buyer (column 16 line 62 – column 7 line 35 and column 18 lines 31-32 and column 37 lines 47-53 and Figs. 6, 30);
- c) Accepting a purchase request for the service offering from the buyer (column 37 line 61 – column 38 line 3 and Fig. 30);
- d) Allowing the buyer and the seller to work on the project in a collaborative workspace accessible by the buyer and the seller, where the seller develops and delivers the project in the collaborative workspace (column 26 line 59 – column 27 line 3; *specifically, "the seller develops and delivers the project" corresponds to the expert types expert answer and send it to the end user in Walker's teaching*).

Walker does not specifically teach allowing the buyer and the seller to work on the project in a collaborative workspace accessible by only the buyers and the seller. However, this matter is taught by Salas as allowing only the members who are assigned to the project work in a collaborative workspace (abstract and column 4 line 66 – column 5 line 11 and Fig. 8). It would have been obvious to one ordinary skill in the art at the time the invention was made to allow the teachings of Walker to include the feature of allowing the buyer and the seller to work on the project in a collaborative

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workspace accessible by only the buyer and the seller because this would allow both of the buyer and the seller to quickly and securely accomplish the project.

Walker does not specifically teach the buyer can track the project in the collaborative workspace before it is complete. However, this matter is taught by Salas as the project-related files, data, and discussion lists are displayed to the user that uses the collaborative workspace for the project (column 4 line 66 – column 5 line 11). It would have been obvious to one ordinary skill in the art at the time the invention was made to allow the buyer in Walker's teaching to include the feature of tracking the project in the collaborative workspace before it is complete as taught by Salas because this would allow the buyer to better monitor the progress of his or her project.

As to claim 18, Walker teaches a computer-implemented method for the using of an on-line services marketplace by a buyer comprising (Fig. 1):

- a) Posting a project on a website (column 13 lines 13-20, 35-39 and column 16 line 62 – column 17 line 21 and Figs. 1, 6);
- b) Receiving via the website a bid on the project from any seller (column 13 lines 13-20, 35-39 and column 37 lines 48-61 and Figs. 1, 30);
- c) Accepting the bid via the website (column 13 lines 13-20, 35-39 and column 37 line 61 – column 38 line 3 and Figs. 1, 30);
- d) Working on the project with the seller in a collaborative workspace, where the seller develops and delivers the project in the collaborative workspace (column 26 line 59 – column 27 line 3; *specifically, "the seller develops and delivers the*

project” corresponds to the expert types expert answer and send it to the end user in Walker’s teaching).

Walker does not specifically teach the buyer can track the project in the collaborative workspace before it is complete. However, this matter is taught by Salas as the project-related files, data, and discussion lists are displayed to the user that uses the collaborative workspace for the project (column 4 line 66 – column 5 line 11). It would have been obvious to one ordinary skill in the art at the time the invention was made to allow the buyer in Walker’s teaching to include the feature of tracking the project in the collaborative workspace before it is complete as taught by Salas because this would allow the buyer to better monitor the progress of his or her project.

As to claim 19, Walker teaches a computer-implemented method for the using of an on-line services marketplace by any seller comprising (Fig. 1):

- a) Posting a service offering on a website by any seller (column 13 lines 13-20, 35-39 and column 14 lines 25-32 and column 21 lines 1-11 and Fig. 1);
- b) Receiving a purchase request for the service offering from a buyer (column 16 line 62 – column 7 line 35 and column 18 lines 31-32 and column 37 lines 47-53 and Figs. 6, 30);
- c) Accepting the purchase request via the website (column 13 lines 13-20, 35-39 and column 37 line 61 – column 38 line 3 and Figs. 1, 30);
- d) Working on the project with the buyer in a collaborative workspace, where the seller develops and delivers the project in the collaborative workspace (column 26 line 59 – column 27 line 3; *specifically, “the seller develops and delivers the*

project” corresponds to the expert types expert answer and send it to the end user in Walker’s teaching).

Walker does not specifically teach the buyer can track the project in the collaborative workspace before it is complete. However, this matter is taught by Salas as the project-related files, data, and discussion lists are displayed to the user that uses the collaborative workspace for the project (column 4 line 66 – column 5 line 11). It would have been obvious to one ordinary skill in the art at the time the invention was made to allow the buyer in Walker’s teaching to include the feature of tracking the project in the collaborative workspace before it is complete as taught by Salas because this would allow the buyer to better monitor the progress of his or her project.

As to claim 20, Walker teaches a computer-implemented method for the using of an on-line services marketplace by any seller comprising (Fig. 1):

- a) Placing a bid by any seller on a project posted by a buyer on a website (column 13 lines 13-20, 35-39 and column 37 lines 54-61 and Figs. 1, 30);
- b) Receiving via the website an acceptance of the bid by the buyer (column 13 lines 13-20, 35-39 and column 37 line 54-65 and Figs. 1, 30);
- c) Working on the project with the buyer in a collaborative workspace, where the seller develops and delivers the project in the collaborative workspace (column 26 line 59 – column 27 line 3; *specifically, “the seller develops and delivers the project” corresponds to the expert types expert answer and send it to the end user in Walker’s teaching).*

Walker does not specifically teach the buyer can track the project in the collaborative workspace before it is complete. However, this matter is taught by Salas as the project-related files, data, and discussion lists are displayed to the user that uses the collaborative workspace for the project (column 4 line 66 – column 5 line 11). It would have been obvious to one ordinary skill in the art at the time the invention was made to allow the buyer in Walker's teaching to include the feature of tracking the project in the collaborative workspace before it is complete as taught by Salas because this would allow the buyer to better monitor the progress of his or her project.

As to claim 21, Walker teaches a computer-implemented method for the using of an on-line services marketplace by a buyer comprising (Fig. 1):

- a) Making a purchase request for a service offering for a project, posted by any seller on a website (column 13 lines 13-20, 35-39 and column 21 lines 12-26 and Figs. 1, 8);
- b) Receiving via the website an acceptance of the purchase request by the seller (column 13 lines 13-20, 35-39 and column 21 lines 12-36 and Figs. 1, 8);
- c) Working on the project with the seller in a collaborative workspace, where the seller develops and delivers the project in the collaborative workspace (column 26 line 59 – column 27 line 3; *specifically, "the seller develops and delivers the project" corresponds to the expert types expert answer and send it to the end user in Walker's teaching*).

Walker does not specifically teach the buyer can track the project in the collaborative workspace before it is complete. However, this matter is taught by Salas

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as the project-related files, data, and discussion lists are displayed to the user that uses the collaborative workspace for the project (column 4 line 66 – column 5 line 11). It would have been obvious to one ordinary skill in the art at the time the invention was made to allow the buyer in Walker's teaching to include the feature of tracking the project in the collaborative workspace before it is complete as taught by Salas because this would allow the buyer to better monitor the progress of his or her project.

11. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al., U. S. Patent 5,862,223 in view of Salas et al., U. S. Patent 6,233,600 in further view of Rackson et al., U. S. Patent 6,415,270.

As to claim 6-8, Walker modified by Salas teaches receiving a bid on the project as discussed above. Walker modified by Salas does not specifically teach the bid is received in a closed auction, an open auction, or in a Dutch auction. However, Rackson teaches this matter (column 17 lines 16-29 and Figs. 5-9). It would have been obvious to one ordinary skill in the art at the time the invention was made to allow the bid in the modified teachings of Walker and Salas to be received from different types of auctions for generating the best matches for different types of user.

12. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al., U. S. Patent 5,862,223 in view of Salas et al., U. S. Patent 6,233,600 in further view of Glasser et al., U. S. Patent 5,956,715.

As to claims 10-11, Walker modified by Salas teaches the collaborative workspace includes a file structure as discussed above. Walker modified by Salas does not specifically teach the file structure includes at least one private folder and/or at least

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one shared folder. However, Glasser teaches this matter (column 6 line 55 – column 7 line 3 and Fig. 4). It would have been obvious to one ordinary skill in the art at the time the invention was made to allow the file structure of Walker modified by Salas includes at least one private folder and/or at least one shared folder because this would allow the users to have options to secure or share certain information based on the best interest of the project.

13. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al., U. S. Patent 5,862,223 in view of Bi et al., U. S. Patent 6,311,178.

As to claim 12, Walker teaches a computer implemented method, comprising:

- a) Accepting on a website, the posting of a service offering by any seller (column 13 lines 13-20, 35-39 and column 14 lines 25-32 and column 21 lines 1-11 and Fig. 1);
- b) Receiving requirements for the service offering from a buyer (column 16 line 62 – column 7 line 35 and column 18 lines 31-32 and column 37 lines 47-53 and Figs. 6, 30);
- c) Generating an optimized list of those services offerings that matched the buyer's requirements (column 37 line 65 – column 38 line 3)
- d) Returning the optimized list to the buyer (column 21 lines 12-37 and column 37 lines 54 – column 38 line 3 and Figs. 6, 30);
- e) Accepting a purchase request for the service offering from the buyer (column 37 line 61 – column 38 line 3 and Fig. 30).

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Walker does not specifically teach the optimized list matches more of the buyer's requirements than the rest of the service offerings posted, but not necessarily all of the buyer's requirements. However, this matter is taught by Bi as partially matching of the user's criteria (column 4 lines 9-50 and Figs. 2B-3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the optimized list in Walker's teaching to be a partially matched list of the buyer's requirements so that buyer would have wider range of choices from the optimized list.

As to claim 13, Walker teaches at least one of the buyer's requirement is inflexible (column 17 lines 16-35).

As to claim 14, Walker teaches the optimized list includes service offerings that meet all of the buyer's requirements (column 17 lines 16-35 and column 21 lines 12-22).

As to claim 15, Walker teaches the optimized list includes service offerings that meet a subset of the buyer's requirements (column 17 lines 16-35 and column 21 lines 12-22). Walker does not specifically teach the subset is smaller than the buyer's requirements. However, this matter is taught by Bi as partially matching of the user's criteria (column 4 lines 9-50 and Figs. 2B-3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow subset of the buyer's requirements in Walker's teaching to be smaller than the buyer's requirements so that buyer would have wider range of choices from the optimized list.

14. Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al., U. S. Patent 5,862,223 in view of Bi et al., U. S. Patent 6,311,178, and in further view of Walker et al., U. S. Patent 6,484,153.

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As to claims 22-23, Walker (U. S. Patent 5,862,223) modified by Bi teaches returning an optimized list of service offering to the buyer in accordance with the buyer's requirements as discussed in claim 12 above. Walker (U. S. Patent 5,862,223) does not specifically teach the buyer or the seller does not take part in generating the optimal list. However, Walker (U. S. Patent 6,484,153) teaches buyer and seller do not take part in generating an optimal list of meeting the buyer's requirements (column 9 lines 1-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the optimal list in the teaching of Walker (U. S. Patent 5,862,223) modified by Bi to be generated without buyer's or seller's participation for alleviating burdens from the buyer and seller.

15. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al., U. S. Patent 5,862,223 in view of Salas et al., U. S. Patent 6,233,600, and in further view of Murcko, Jr., U. S. Patent 6,578,014.

As to claim 24, Walker modified by Salas teaches buyer and seller work on a project in a collaborative workspace as discussed in claim 1 above. Walker further teaches the buyer gives rating to the seller (column 21 lines 52-62). Walker modified by Salas does not specifically teach the seller gives rating to the buyer. However, Murcko teaches allowing buyer and seller rate each other (column 39 lines 53-56). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the seller in Walker's teaching to include the feature of giving rating to the buyer as taught by Murcko so that future buyers and sellers can make better transaction decisions based on the ratings.

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16. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al., U. S. Patent 5,862,223 in view of Bi et al., U. S. Patent 6,311,178, and in further view of Salas et al., U. S. Patent 6,233,600.

As to claim 30, Walker modified by Bi teaches buyer and seller conducting transactions through website as discussed in claim 12 above. Walker further teaches the seller developing and delivering the service in the collaborative workspace (column 26 line 59 – column 27 line 3; *specifically, "the seller developing and delivering the service" corresponds to the expert types expert answer and send it to the end user in Walker's teaching*). Walker modified by Bi does not specifically teach the buyer is capable track the service in the collaborative workspace before it is complete. However, this matter is taught by Salas as the project-related files, data, and discussion lists are displayed to the user that uses the collaborative workspace for the project (column 4 line 66 – column 5 line 11). It would have been obvious to one ordinary skill in the art at the time the invention was made to allow the buyer in the teaching of Walker modified by Bi to include the feature of tracking the service in the collaborative workspace before it is complete as taught by Salas because this would allow the buyer to better monitor the progress of his or her service.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (703)-305-0084. The examiner can normally be reached on Monday – Thursday from 10:00 AM to 7:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

The fax phone number for the organization where this application or proceedings is assigned are as follows:

(703) 872-9306 (Official Communications; including After Final
Communications labeled "BOX AF")

(703) 746-5619 (Draft Communications)

Hand delivered responses should be brought to Crystal Plaza Two, Room 1B03.

Mary Cheung
Patent Examiner
Art Unit 3621
November 9, 2004

